

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

3:16-cr-00051-BR-16

Plaintiff,

ORDER MAINTAINING  
DEFENDANT KENNETH  
MEDENBACH'S STATUS AS A  
PRO SE LITIGANT

v.

KENNETH MEDENBACH,

Defendant.

BROWN, Judge.

This matter comes before the Court on the Court's Order (#1071) to Show Cause as to Defendant Kenneth Medenbach issued August 19, 2016. In that Order the Court directed Medenbach to show cause why the Court should not revoke his *pro se* status for repeatedly failing to follow Court orders and for filing frivolous and previously-addressed motions regarding this judicial officer's oath of office in this case and in a civil action filed against this judicial officer on materially the same basis that Medenbach sought dismissal of this criminal action.

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PRO SE LITIGANT

In particular, the Court expressed concern that Medenbach's continued refusal to follow this Court's orders and to refrain from re-raising matters relating to this judicial officer's oath during the multi-defendant jury trial scheduled to begin September 7, 2016, created an unacceptable risk of prejudice to the other parties and to the fair administration of justice. The Court directed Medenbach to show cause no later than Noon, August 23, 2016, and scheduled a hearing on this matter for 3:00 p.m., August 30, 2016.

Medenbach timely responded to the Court's Order to Show Cause. In addition, at the hearing on August 30, 2016, Medenbach assured the Court that he would not again raise the issue relating to this judicial officer's oath in these proceedings and, in particular, would not raise that matter before the jury. Medenbach also assured the Court that he intended to permit his "hybrid counsel," Matthew A. Schindler, to conduct all witness examination and argument at trial.

The Court advised Medenbach that he would not be permitted to raise any issue related to this judicial officer's oath of office, the Court's personal jurisdiction, or the Court's subject-matter jurisdiction before the jury and that violation of that Order could result in forfeiture of his right to self-representation and/or removal from the courtroom.

Based on Medenbach's assurance at the August 30, 2016,

hearing, the Court concludes Medenbach has shown cause sufficiently. Accordingly, the Court maintains Defendant Medenbach's self-representation in this matter.

IT IS SO ORDERED.

DATED this 2nd day of September, 2016.

A handwritten signature in cursive script, reading "Anna J. Brown".

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ANNA J. BROWN  
United States District Judge